

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

RONALD G. JOHNSON #4532  
Chief, Major Crimes

DARREN W.K. CHING #6903  
Assistant U.S. Attorney  
PJKK Federal Bldg., Room 6-100  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850  
Telephone: 541-2850  
Facsimile: 541-2958  
E-mail: [Darren.Ching@usdoj.gov](mailto:Darren.Ching@usdoj.gov)

Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 04-00053 DAE
	)	
Plaintiff,	)	ORDER GRANTING DEFENDANT'S
	)	MOTION CONTINUING TRIAL AND TO
vs.	)	ENLARGE TIME TO FILE PRETRIAL
	)	MOTIONS
SILVER JOSE GALINDO,	)	
(a.k.a. DANIEL S. GALINDO)	)	
(a.k.a. TIMOTHY MAU)	)	OLD TRIAL DATE: 01/23/2007
	)	NEW TRIAL DATE: 02/13/2007
Defendant.	)	
_____	)	

ORDER GRANTING DEFENDANT'S MOTION CONTINUING  
TRIAL AND TO ENLARGE TIME TO FILE PRETRIAL MOTIONS

The matter of Defendant SILVER JOSE GALINDO's, a.k.a. DANIEL S. GALINDO and TIMOTHY MAU, motion to continue the trial and to enlarge time to file pretrial motions came on for hearing on January 17, 2007 before the Honorable Magistrate Judge Barry M. Kurren. The defendant was present with his appointed counsel

Jerry Wilson, Esquire, and AUSA Darren W.K. Ching was present on behalf of the United States.

The Court reviewed the Defendant's motion, heard the representations of counsels, and heard no objection from the government regarding a new trial date of February 13, 2007. Accordingly, the Court grants Defense Counsel's request to continue the trial and enlarge time to file pre-trial motions which will allow counsel for the defendant more time to prepare so as to not be ineffective in his representation and promoting the defendant's right to a fair trial. The continuance provides adequate time to remedy the concerns raised in Mr. Wilson's motion and be prepared for trial by the next date.

IT IS HEREBY ORDERED that the defendant's motion to continue trial and enlarge time to file pre-trial motions is GRANTED.

IT IS FURTHER ORDERED that the jury trial presently scheduled for January 23, 2007, at 9:00 a.m., be continued to February 13, 2007, at 9:00 a.m., before District Court Judge David A. Ezra. Defense motions are due on January 26, 2007, and the Government's responses are due on February 9, 2007. Other pretrial deadlines are set as established by the Amended Final Pretrial Order.

IT IS FURTHER ORDERED that the time period beginning and including January 23, 2007, to and including February 13,

2007, be excluded from the computations required by the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv) on the grounds that the ends of justice served by granting this continuance outweigh the best interest of the public and Defendant in a speedy trial. The Court bases this finding on the fact that Defendant's counsel needs additional time to adequately prepare for trial and that failure to grant the continuance would unreasonably deny the Defendant continuity of counsel and would further deny the Defendant the reasonable time necessary for effective preparation, taking into account due diligence.

IT IS SO ORDERED:



/s/ Barry M. Kurren  
United States Magistrate Judge  
Dated: January 24, 2007

APPROVED AS TO FORM:

/s/ Jerry Wilson  
JERRY WILSON, ESQ.  
Attorney for Defendant  
SILVER JOSE GALINDO

United States v. SILVER JOSE GALINDO  
Cr. No. 04-00053 DAE  
"Order Granting Defendant's Motion Continuing  
Trial and to Enlarge Time to File Pre-Trial Motions"